

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Final Office Action mailed March 28, 2005. Claims 5, 14 and 28 were indicated as allowable. Claims 1, 3, 6-9, 12, 15, 23-27, 29 and 30 were rejected. Entry of this amendment after final is respectfully requested as it places the claims in condition for allowance. The claims have been amended to address the concerns raised by the Examiner.

Claims 1, 6-9, 12, 15, 26, 29 and 30 remain in the application. Claims 1-25 were originally presented in the application. Claims 2-5, 10, 11, 13, 14, 16-25, 27 and 28 have been canceled without prejudice. Claims 1, 7-9, 26, 29 and 30 have been amended.

The indication of allowable subject matter in 5, 14 and 28, if rewritten in independent form, is acknowledged with appreciation.

Independent claim 1 has been amended to include the allowable subject matter of allowable claim 5, and limitations of intervening claim 3. Independent claim 1 has also been amended to further clarify the present invention and is fully supported by the specification as originally filed. Specifically, the lower portion 58 can be pivotal and displaceable with respect to the upper portion 54 between a low position that disposes the heel section 34 in a rearward position relative to the upper portion as shown in FIG. 2a, and a forward position relative to the upper portion as shown in FIG. 2b. Therefore, independent claim 1 is allowable, as are dependent claims 6 and 7. Accordingly, claims 3 and 5 have been canceled without prejudice.

Independent claim 8 has been amended to include the allowable subject matter of claim 14, and is allowable, as are dependent claims 9, 12 and 15. Accordingly, claim 14 has been canceled without prejudice.

Claim 9 has been amended to clarify the present invention and is fully supported by the specification as originally filed. Specifically, the foot member 18 can be pivotal and displaceable with respect to the attachment member 22 between a low position that disposes the heel section 34 in a rearward position relative to the attachment member as shown in FIG. 2a, and a forward position relative to the attachment member as shown in FIG. 2b.

Independent claim 26 has been amended to include the allowable subject matter of claim 28, and the limitations of intervening claim 27. Therefore, independent claim 26 is allowable as

are dependent claims 29 and 30. Accordingly, claims 26 and 27 have been canceled without prejudice.

Claims 7, 29 and 30 have been amended to correct dependency, without limiting the scope thereof, and not for reasons of patentability.

Applicant respectfully traverses the characterization of the prior art, and notes that the cited references do not limit or constrain movement.

CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1, 6-9, 12, 15, 26, 29 and 30 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Garron M. Hobson at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 20th day of May, 2005.

Respectfully submitted,



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